

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Ariel Leonardo, being first duly sworn, do hereby depose and state:

BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since February of 2023. I am currently assigned to the FBI's San Juan Division, and I am part of the Violent Crimes and Major Offenders Task Force. As a Special Agent, I have received training in a wide variety of investigative topics to include topics in violent crimes and various other matters within the authority of the FBI. Prior to my employment with the FBI I was a Border Patrol Agent with the United States Border Patrol from March 2020 to February of 2023.

2. I am a law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7), that is, an officer of the United States who is empowered by law to conduct investigations of and make arrests for offenses enumerated in 18 U.S.C. .

3. The details and information stated herein are a compilation of facts and events investigated by me and other Law Enforcement Officers, who investigated and confirmed their veracity or overseen their development. I have drafted this affidavit for the limited purpose of establishing probable cause for certain violations of law. Therefore, I have not included all of the facts of this investigation.

4. Based on the facts set forth in this affidavit, there is probable cause to believe that **DANIEL XIOCHEN LI (LI)** and **ANGIE CHEN LIU (LIU)** violated 49 U.S.C. § 46503 ("Interference with security screening personnel").

FACTS IN SUPPORT OF PROBABLE CAUSE

5. The following is based on interviews and statements provided by Spirit Airlines (Spirit) employees involved in the incident, a citizen witness and video surveillance that I have reviewed. Spirit Airlines is a commercial airline company which provides service by means of using an airplane as a conveyance to transport passengers to destinations both domestically and internationally.

6. On April 17, 2024, LI and LIU approached the B-4 departure and arrival gate at the Luis Munoz Marin Airport (SJU) where they presented their boarding passes. LI and LIU were accompanied by their daughter and LIU's mother. LI, LIU, their daughter, and LIU's mother scanned their boarding passes and permitted entry into the jetway to board the Spirit flight, which was bound to take off at 3:05pm with Boston, Massachusetts as their destination. LI walked a short distance into the jetway when Spirit employee, Jean Carlos Pichardo Plasencia (Pichardo), called for him and asked him to exit the jetway to measure his carry-on bag. LI's carry-on bag at the time was a red back pack.

7. LI, LIU, and their daughter exited the jetway all together and measured the carry-on bag in the marked Spirit cubicles used to determine whether the bag would fit acceptable parameters to be taken aboard. LI's bag was found to be too large to be taken aboard as a carry-on and Pichardo then informed the family they would need to reconfigure the bags to distribute the bulk, so that they would be allowed to fly with the bag. LI and LIU reconfigured the bag and attempted to approach the Pichardo once more. Pichardo began to explain the policy for carry-on bags to LIU and LIU takes a step forward and points her finger at Pichardo. LIU then calls Pichardo a "motherfucker" and "asshole". Pichardo then informs Spirit Employee Juan Jose Mercado Lopez (Lopez), who was next to him working on the computer, of the escalation in the discussion and Lopez steps in to speak with LIU. LI and LIU both begin recording Lopez and Lopez re-explains the baggage policy. LI and LIU are instructed to sit down and wait for a

supervisor. Pichardo and Lopez call for a supervisor and LI and LIU sit down in a waiting area nearby.

8. LIU then calls emergency 911 services and is connected to a dispatcher. LIU walks over to Lopez and puts the call on the speaker phone mode, allowing the conversation to be heard by Lopez. Lopez explains to the dispatcher that there is no exigent circumstance which exists and explains the situation. LIU hangs up the phone and Lopez instructs them to sit in the waiting area until a supervisor arrives.

9. Spirit supervisor Audifred Shania (Shania) arrives at the gate and asks Pichardo and Lopez about the altercation which took place. The Spirit employees then made the decision to deny boarding to LI and LIU due to her aggressive behavior and the potential of her being a threat to other passengers aboard the flight. The Spirit employees continued to scan the boarding passes of all other travelers and are approached by LI and LIU. LI and LIU are informed they would not be allowed to board due to the previous altercation and the Spirit employees began closing the door to the jetway. LIU then shoved Lopez, who was standing at the entrance to the jetway and began forcing her way into the jetway. LI then followed her and pushed Shania as he attempted prevent them from gaining access to the jetway.

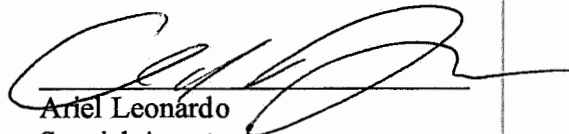
10. LI and LIU then move down the jetway and enter the Spirit plane. The Spirit employees then follow them down the jetway and inform the flight attendants of physical altercation and their denial of boarding. LI and LIU are then escorted off of the plane.

11. According to publicly available data on the Federal Aviation Administration's website, SJU is classified as a Commercial Airport – Primary.¹

¹ <https://www.faa.gov/sites/faa.gov/files/2022-10/ARP-NPIAS-2023-Appendix-A.pdf>

12. The Spirit employees who were stationed at the B-4 are Aircarrier employees who had security duties—namely, they were responsible for controlling access to jetway and access to the plane. LI's and LIU's actions in forcing their way onto the jetway to gain access to the plane and needing to be removed from the plane interfered with those Spirit employee's security duties.

13. Based on the facts set forth above, I respectfully submit that there exists probable cause to charge ANGIE CHEN LIU and DANIEL XIAOCHEN LI with violations of 49 USC § 46503 ("Interference with security screening personnel").



Ariel Leonardo
Special Agent
Federal Bureau of Investigation

Sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone in San Juan,
Puerto Rico on April 18th, 2024. AT 2:50 PM

Hon. Giselle Lopez-Soler
United States Magistrate Judge
District of Puerto Rico